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PTO-3 Record PCT/PTO 28 SEP 2004

Prepared from
FORM PTO-1390Transmittal Letter to the United States
Designated/Elected Office (DO/EO/US)

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Attorney's Docket No. : **242/9-1999**
 U.S. Application No. : To be assigned
 Filed : Herewith - September 28, 2004
 Applicant(s) : Fabio FRABETTI, et al
 International Application No. : PCT/IB03/01205
 International Filing Date : **2 April 2003**
 Priority Date Claimed : 3 April 2002 (BO2002A000175)
 Title of Invention : **FEEDING DEVICE OF CHOCOLATES AND SIMILAR PRODUCTS**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures [35 U.S.C. 371 (f)] at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a) is transmitted herewith (required only if not transmitted by the International Bureau)
 - b) has been transmitted by the international Bureau
 - c) is not required, as the application was filed in the United States Receiving Office (RO/US)
6. A translation of the International Application into English [35 U.S.C. 371(c)(2)]
7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
 - a) are transmitted herewith (required only if not transmitted by the International Bureau)
 - b) have been transmitted by the International Bureau
 - c) have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d) have not been made and will not be made
8. A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 16. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 (5 docs.)
12. An Assignment document for recording. A separate cover sheet (PTO-1595) in compliance with 37 CFR 3.28 and 3.31 are included.
13. A **FIRST** preliminary amendment
- A **SECOND** or **SUBSEQUENT** preliminary amendment
14. **THE APPLICANT AND/OR ASSIGNEE, IF ANY, HEREBY CLAIMS SMALL ENTITY STATUS.**
15. A change of power of attorney and/or address letter
16. (other items or information) **PCT Pub. No WO 03/082677 A1; Application Data Sheet; Clean Copy of the Application as Amended; PCT/IPEA/409**

EXPRESS MAIL No.: EV332304275US Deposited: September 28, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: September 28, 2004

U.S. Application No. (if known, see 37 C.F.R. 1.50):
International Application No.: PCT/IB03/01047

17. X The following fees are submitted:

BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:

CALCULATIONS PTO USE ONLY

<u>X</u> Search Report has been prepared by the EPO or JPO..... \$920.00		
<u> </u> International preliminary examination fee paid to USPTO [37 CFR 1.482]..... \$730.00		
<u> </u> No International preliminary examination fee paid to USPTO [37 CFR 1.482] but International search fee paid to USPTO [37 CFR 1.445(a)(2)]..... \$50.00		
<u> </u> Neither International preliminary examination fee [37 CFR 1.482] nor International search fee [37 CFR 1.445(a)(2)] paid to USPTO..... \$ 1080.00		
<u> </u> International preliminary examination fee paid to USPTO [37 CFR 1.482] and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$00.00		
ENTER APPROPRIATE BASIC FEE AMOUNT:		\$ 920.00
Claims Number Number Rate	filed extra	
Total Claims 17-20= 24 14 x \$ 18. = \$112.00		\$
Indep. Claims 1-03= 0 x \$ 86 = \$ 290.00		\$
<u>X</u> Multiple Dependent Claim(s) (if applicable) +290.00		
TOTAL OF ABOVE CALCULATIONS:		\$ 1010.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [X] 30 months from the earliest claimed priority date [37 CFR 1.492(e)]		
TOTAL OF ABOVE CALCULATIONS:		\$ 1010.00
Reduction by ½ for filing by small entity, if applicable. [Note 37 CFR 1.9, 1.27, 1.28]		
		\$
SUBTOTAL:		\$ 1010.00
Processing fee of \$130.00 for furnishing the English Translation later than [] 20 [] 30 months from the earliest claimed priority date [37 CFR 1.492(f)]		
TOTAL NATIONAL FEE:		\$ 1010.00
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property + \$		
TOTAL FEES ENCLOSED:		\$ 1010.00
		\$
		\$

X A check in the amount of \$1010.00 to cover the above fees is enclosed.

X The Commissioner is hereby authorized to charge the deposit account any other fees required with this submission or to credit any overpayment to Deposit Account No: 04-0838. A duplicate of this form is enclosed.

NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

William J. Sapone, Esq.

Coleman Sudol Sapone P.C.

714 Colorado Avenue

Bridgeport CT 06605

William J. Sapone

Name Tel. (203) 366-3560

Signature

32,518

September 28, 2004

Reg. No.

Date